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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Docket No. 15-cv-00871 (SHS)

SONTERRA CAPITAL MASTER FUND LTD.,
FRONTPOINT EUROPEAN FUND, L.P.,
FRONTPOINT FINANCIAL SERVICES FUND,
L.P., FRONTPOINT HEALTHCARE FLAGSHIP
ENHANCED FUND, L.P., FRONTPOINT
HEALTHCARE FLAGSHIP FUND, L.P.,
FRONTPOINT HEALTHCARE HORIZONS FUND,
L.P., FRONTPOINT FINANCIAL HORIZONS
FUND, L.P., FRONTPOINT UTILITY AND
ENERGY FUND L.P., HUNTER GLOBAL
INVESTORS FUND I, L.P., HUNTER GLOBAL
INVESTORS OFFSHORE FUND LTD., HUNTER
GLOBAL INVESTORS SRI FUND LTD., HG
HOLDINGS LTD., HG HOLDINGS II LTD.,
FRANK DIVITTO, RICHARD DENNIS, and the
CALIFORNIA STATE TEACHERS' RETIREMENT
SYSTEM on behalf of themselves and all others
similarly situated,

Plaintiffs,

- against -

CREDIT SUISSE GROUP AG, CREDIT SUISSE AG,
JPMORGAN CHASE & CO., THE ROYAL BANK OF
SCOTLAND PLC, UBS AG, DEUTSCHE BANK AG,
DB GROUP SERVICES UK LIMITED, TP ICAP PLC,
TULLETT PREBON AMERICAS CORP., TULLETT
PREBON (USA) INC., TULLETT PREBON
FINANCIAL SERVICES LLC, TULLETT PREBON
(EUROPE) LIMITED, COSMOREX AG, ICAP
EUROPE LIMITED, ICAP SECURITIES USA LLC,
NEX GROUP PLC, INTERCAPITAL CAPITAL
MARKETS LLC, GOTTEX BROKERS SA, GOTTEX
SA AND JOHN DOE NOS. 1-50,

Defendants.

**STIPULATION AND ~~PROPOSED~~ ORDER REGARDING WAIVER OF SERVICE
AND SETTING TIME FOR DEFENDANT GOTTEX BROKERS SA TO ANSWER,
MOVE OR OTHERWISE RESPOND TO
THE SECOND AMENDED CLASS ACTION COMPLAINT**

Plaintiffs Sonterra Capital Master Fund Ltd., FrontPoint European Fund, L.P., FrontPoint
Financial Services Fund, L.P., FrontPoint Healthcare Flagship Enhanced Fund, L.P., FrontPoint

Healthcare Flagship Fund, L.P., FrontPoint Healthcare Horizons Fund, L.P., FrontPoint Financial Horizons Fund, L.P., FrontPoint Utility and Energy Fund, L.P., Hunter Global Investors Fund I, L.P., Hunter Global Investors Offshore Fund, Ltd., Hunter Global Investors SRI Fund Ltd., HG Holdings Ltd., HG Holdings II Ltd., Frank Divitto, Richard Dennis, and the California State Teachers' Retirement System (collectively, "Plaintiffs") and Defendant Gottex Brokers SA ("Defendant Gottex") by and through their respective undersigned counsel, subject to this Court's approval, agree and stipulate as follows:

WHEREAS, on November 6, 2017, Plaintiffs filed under seal their Second Amended Class Action Complaint ("SAC") (ECF No. 177) asserting claims against, among others, Defendant Gottex;

WHEREAS, on December 8, 2017 Plaintiffs filed publicly a redacted version of the SAC (ECF No. 185);

WHEREAS, on December 14, 2017 a Summons was issued as to 12 newly added Broker Defendants, including Defendant Gottex (ECF No. 189);

WHEREAS, on January 17, 2018, Plaintiffs and Broker Defendants TP ICAP plc, Tullett Prebon Americas Corp., Tullett Prebon (USA) Inc., Tullett Prebon Financial Services LLC, Tullett Prebon (Europe) Limited, Cosmorex AG, ICAP Europe Limited, ICAP Securities USA LLC, NEX Group plc, and Intercapital Capital Markets LLC, (collectively, the "Stipulating Broker Defendants") entered into a Stipulation and Proposed Order Regarding Waiver of Service and Setting Time for Stipulating Broker Defendants to Answer, Move or Otherwise Respond to the Second Amended Class Action Complaint (the "Broker Defendants Stipulation") and the Court So Ordered the Broker Defendants Stipulation on January 18, 2018 (ECF No. 192);

WHEREAS, on January 29, 2018, the Court issued an Order stating: “It is the Court’s intention that all Newly-Added Defendants coordinate their briefing schedules—despite the varying dates on which they either waived service or were or are formally served with the Second Amended Class Action Complaint. Any motions to dismiss the Second Amended Class Action Complaint by the Newly-Added Defendants are due by April 6, 2018.” (ECF No. 219);

WHEREAS, Plaintiffs have represented that the publicly filed redacted SAC was served on Defendant Gottex pursuant to The Hague Convention on January 19, 2018 (ECF No. 235);

WHEREAS, Defendant Gottex has recently engaged the same counsel as the Stipulating Broker Defendants;

WHEREAS, Defendant Gottex has waived service of the SAC; and

WHEREAS, Plaintiffs have agreed that Defendant Gottex will be on the same schedule as the Stipulating Broker Defendants for the time to answer, move to dismiss, or otherwise respond to the SAC;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

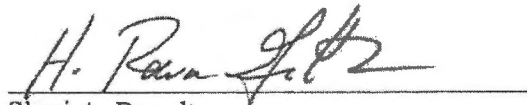
1. As previously set forth in the Court’s January 29, 2018 Order, Defendant Gottex’s deadline to answer, move or otherwise respond to the SAC shall be April 6, 2018.
2. If Defendant Gottex moves to dismiss the SAC, Plaintiffs shall respond on or before June 4, 2018 and Defendant Gottex may file its reply on or before July 3, 2018.
3. Discovery is stayed pending resolution of Defendant Gottex’s motion to dismiss; except that if Defendant Gottex moves to dismiss the SAC on the ground that this Court lacks personal jurisdiction as to it pursuant to FED. R. CIV. P. 12(b)(2), Plaintiffs may seek leave of Court to conduct jurisdictional discovery and additional time to file its opposition to the FED. R. CIV. P. 12(b)(2) motion to dismiss in order to conduct such discovery. Defendant Gottex

reserves the right to oppose any motion by Plaintiffs seeking leave of Court to conduct jurisdictional discovery and/or to obtain additional time to file their opposition(s) to the FED. R. Civ. P. 12(b)(2) motion(s) to dismiss.

4. Except as to the defense of insufficient service of process, no defense of Defendant Gottex, including without limitation defenses based upon lack of personal jurisdiction, is prejudiced or waived by Defendant Gottex's executing, agreeing to, or filing this Stipulation.


5. This Stipulation may be executed in separate counterparts, and counterparts may be executed by e-mail or facsimile, each of which shall be deemed an original.

DATED: March 22, 2018



Shari A. Brandt
H. Rowan Gaither IV
T. Jakob Sebrow
Margot Laporte
RICHARDS KIBBE & ORBE LLP
200 Liberty Street
New York, New York 10281
Tel: 212-530-1800
Fax: 212-530-1801
sbrandt@rkollp.com
rgaither@rkollp.com
jsebrow@rkollp.com
mlaporte@rkollp.com

*Counsel for Defendants TP ICAP plc,
Tullett Prebon Americas Corp.,
Tullett Prebon (USA) Inc.,
Tullett Prebon Financial Services LLC,
Tullett Prebon (Europe) Limited,
Cosmorex AG, ICAP Europe Limited,
NEX Group plc, ICAP Securities USA LLC,
Intercapital Capital Markets LLC, Velcor SA,
and Gottex Brokers SA*



Vincent Briganti
Geoffrey M. Horn
Peter St. Philip
Raymond Girnys
Christian P. Levis
LOWEY DANNENBERG, P.C.
44 South Broadway, Suite 1100
White Plains, NY 10601
Tel: 914-997-0500
Fax: 914-997-0035
vbriganti@lowey.com
ghorn@lowey.com
pstphilip@lowey.com
rgirnys@lowey.com
clevis@lowey.com

Interim Lead Class Counsel

Christopher Lovell
Gary S. Jacobson
Benjamin M. Jaccarino
LOVELL STEWART HALEBIAN JACOBSON LLP
61 Broadway, Suite 501
New York, NY 10006

Tel.: 212-608-1900
Fax: 212-719-4677
clovell@lshllp.com
gsjacobson@lshllp.com
bjaccarino@lshllp.com

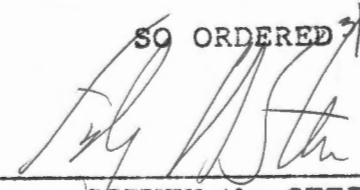
Joseph J. Tabacco
Todd A. Seaver (*pro hac vice*)
BERMAN TABACCO
One California Street, Suite 900
San Francisco, CA 94111
Tel.: 415-433-3200
Fax: 415-433-6282
jtabacco@bermantabacco.com
tsever@bermantabacco.com

Patrick T. Egan (*pro hac vice* to be filed)
BERMAN TABACCO
One Liberty Square
Boston, MA 02109
Tel.: 617-542-8300
Fax: 617-542-1194
pegan@bermantabacco.com

David E. Kovel
KIRBY MCINERNEY LLP
825 Third Avenue
New York, NY 10022
Tel.: 212-371-6600
Fax: 212-751-2540
dkovel@kmlp.com

Brian P. Murray
Lee Albert (*pro hac vice* to be filed)
GLANCY PRONGAY & MURRAY LLP
122 East 42nd Street, Suite 2920
New York, NY 10168
Tel.: 212-682-5340
Fax: 212-884-0988
bmurray@glancylaw.com
lalbert@glancylaw.com

Additional Counsel for Plaintiffs

SO ORDERED 3/23/18

SIDNEY H. STEIN
U.S.D.J.